

REMARKS

Claims 1-6, 8, 10, 12, and 14-17 are pending, with claims 1 and 17 being independent. Claims 7, 9, 11, and 13 are canceled by this amendment without waiver or prejudice. Applicant thanks the Examiner for indicating that claim 12 contains allowable subject matter.

Provisional Double Patenting Rejection

Claims 1-17 stand provisionally rejected for obviousness-type double patenting as being unpatentable over claims 2-5, 8, 9 and 11-18 of copending Application No. 10/729,204, now U.S. Patent No. 7,108,028. Upon the claims otherwise being allowable, Applicant will file a terminal disclaimer to remove this rejection.

35 U.S.C. § 103(a) Rejections

Claim 1-11 and 13-16 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Wang (6,712,106) in view of Schneider (6,520,365). Applicant has amended the claims to obviate this rejection.

As amended, independent claim 1 recites a debris collection container for a planer that includes, among other features, a receptacle for storage of debris generated by the planer, where the receptacle includes a first rigid section, a second rigid section and a deformable section located between and connecting the first rigid section and the second rigid section. The container includes a connector connectable between the planer and the receptacle. The first rigid section can be releasably attached to the second rigid section when the deformable section is in a compressed condition. The first rigid section includes a front portion and a rear portion that define a lip and the connector is releasably attachable to the front portion.

Applicant respectfully requests reconsideration and withdrawal of this rejection Wang and Schnieder, either alone or in combination, fail to describe or suggest a first rigid section that includes a front portion and a rear portion that define a lip and the connector is releasably attachable to the front portion.

Instead, Wang describes a dust bag 1 with a fastening member 33 that is secured to a flange 50 on a top open end of a bucket 5. See Wang, col. 2, lines 9-22. The Office Action alleges that flange 50 is a first rigid section. See Final Office Action dated April 4, 2006, p. 3. However, the flange 50 does not include a front portion and a rear portion that define a lip and that a connector is releasably attachable to the front portion, as recited in amended claim 1.

Schneider does not remedy the failure of Wang. Instead, Schneider describes a container 10 that includes a cylindrical sidewall 12 extending between a top 14 and a bottom 16 of container 10. See Schneider, col. 2, lines 61-62. The Office Action alleges that top 14 is a first rigid section. See Final Office Action dated April 4, 2006, p. 4. However, top 14 does not include a front portion and a rear portion that define a lip and that a connector is releasably attachable to the front portion, as recited in amended claim 1.

For at least these reasons, Applicant respectfully request reconsideration and withdrawal of the rejection of amended claim 1 and its dependent claims 2-6, 8, 10, and 14-16

Claim 17 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Wang in view of Liao et al. (6,481,475) and Schneider. Applicant has amended claim 17 to obviate this rejection. Similarly to amended claim 1, amended independent claim 17 recites a first rigid section that includes a front portion and a rear portion that define a lip and the connector is releasably attachable to the front portion.

Liao does not remedy the failure of Wang and Schneider to describe or suggest a first rigid section that includes a front portion and a rear portion that define a lip and the connector is releasably attachable to the front portion. Accordingly, Applicant requests reconsideration and withdrawal of this rejection, as discussed above with respect to claim 1.

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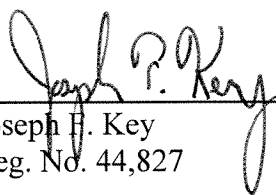
Applicant submits that all claims are in condition for allowance.

Enclosed is an authorization to charge deposit account 02-2548 for the Petition for Extension of Time fee. Please apply any other charges or credits to deposit account 02-2548.

Respectfully submitted,

Date: _____

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